

Form 213

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Richard David Martone Jr.**  
**Tammy Lynn Martone**  
Debtor(s)

Bankruptcy Case No.: 17-10406-TPA  
Related to Docket No. 61  
Chapter: 13  
Docket No.: 62 - 61  
Concil. Conf.: 11/16/21 at 09:30 AM

**ORDER**

**WHEREAS**, the Trustee filed and served a *Certificate of Default Requesting Dismissal of Case*, alleging that the Debtor(s) failed to make regular plan payments and are in material default under the plan,

**IT IS HEREBY ORDERED** that, on or before **September 24, 2021**, Debtor(s) must file *Documentary Proof of Payment* according to the accompanying *Instructions*, together with either:

1. a *Notarized Affidavit or Declaration* under penalty of perjury that states Debtor(s)' current mailing address and includes an explanation of Debtor(s)' failure to comply with the current plan payment and/or a statement setting forth why the Debtor(s) dispute the *Certificate of Default*;

**OR**

2. a *Notice of Proposed Modification to Confirmed Plan* and an *Amended Plan* to cure the plan defaults. Debtor(s) must make all plan payments in accordance with the *Amended Plan* pending its confirmation. If the Debtor(s) default on such plan payments, and if the Trustee moves for dismissal of this case, the case will be **DISMISSED**, without further notice or hearing.

**IT IS FURTHER ORDERED** that, if the Debtor(s) elect to file an *Amended Plan*, the Debtor(s) must immediately serve a copy of the *Notice of Proposed Modification to Confirmed Plan*, the *Amended Plan*, and the *Documentary Proof of Payment* on the Chapter 13 Trustee and all parties on the mailing matrix and file a *Certificate of Service* with the Clerk.

On or before **October 15, 2021**, if the Debtor(s) elect to file an *Amended Plan*, all *Objections* must be filed and served on the Debtor(s), Chapter 13 Trustee and any creditor whose claim is the subject of the *Objection*. Any creditor who files a timely *Objection* must appear at the scheduled Conciliation Conference. Untimely *Objections* will not be considered.


On **11/16/21 at 09:30 AM** a Conciliation Conference (on plan defaults or the *Amended Plan*) will occur with the Chapter 13 Trustee at remotely by the Trustee via Zoom, how to participate: goto [www.ch13pitt.com](http://www.ch13pitt.com), [meetings@chapter13trusteedpa.com](mailto:meetings@chapter13trusteedpa.com).

If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.

This case will be **DISMISSED WITHOUT PREJUDICE** and no hearing or conference shall take place, unless the Debtor(s) comply fully with this *Order* by filing and serving all of the required items.

Dated: August 10, 2021

cm: All Creditors and Parties In Interest

  
Thomas P. Agresti, Judge  
United States Bankruptcy Court

**INSTRUCTIONS FOR DOCUMENTARY PROOF OF PAYMENT**

In response to the Trustee's *Certificate of Default Requesting Dismissal of Case*, Debtor(s) must file *Documentary Proof of Payment* that at least one full plan payment has been submitted to the Trustee since the Trustee filed and served the *Certificate of Default*.

The *Documentary Proof of Payment* must include a copy of a money order, cashier's check, earnings statement(s) or pay stub(s) showing payroll or benefit deduction(s) used to make the plan payment.

The *Documentary Proof of Payment* must also include a copy of the Trustee's printout of the Debtor(s)' payment history of receipts (available on the Trustee's website) indicating the amounts and dates of payments received by the Trustee.

Debtor(s)' case name and bankruptcy case number must be included on the payment.

The plan payment must be sent to the Chapter 13 Trustee's lock box bank account addressed to:

Ronda J. Winnecour, Trustee  
P.O. Box 84051  
Chicago, IL 60689-4002

In re:  
Richard David Martone, Jr.  
Tammy Lynn Martone  
Debtors

Case No. 17-10406-TPA  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0315-1

User: agro

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Date Rcvd: Aug 10, 2021

Form ID: 213

Total Noticed: 11

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
#	Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update. While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.
##	Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 12, 2021:

Recip ID	Recipient Name and Address
db	+ Richard David Martone, Jr., 30070 Shaffer Rd, Guys Mills, PA 16327-2948
jdb	#+ Tammy Lynn Martone, 30070 Shaffer Rd, Guys Mills, PA 16327-2948
cr	+ Pingora Loan Servicing, LLC, C/O Ann E. Swartz, Esq., 123 South Broad St. Suite 1400, Philadelphia, PA 19109-1060
14638536	+ Cenlar FSB, 425 Phillips Boulevard, Ewing, NJ 08618-1430
15198231	+ MidFirst Bank, Bankruptcy Department, 999 NW Grand Boulevard, #110, Oklahoma City, OK 73118-6051
14407150	Wells Fargo Bank, NA, PO Box 10438, Des Moines, IA 50306-0438

TOTAL: 6

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
14419994	Email/Text: ally@ebn.phinsolutions.com	Aug 10 2021 23:47:00	Ally Bank, PO Box 130424, Roseville MN 55113-0004
14407147	+ Email/Text: ally@ebn.phinsolutions.com	Aug 10 2021 23:47:00	Ally Financial, Po Box 380901, Bloomington, MN 55438-0901
14407148	+ Email/Text: clientservices@credit-control.com	Aug 10 2021 23:47:00	Central Loan Admin & R, 425 Phillips Blvd, Ewing, NJ 08618-1430
14407843	+ Email/PDF: rmscedi@recoverycorp.com	Aug 10 2021 23:54:06	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15032665	+ Email/Text: cashiering-administrationservices@flagstar.com	Aug 10 2021 23:47:00	Pingora Loan Servicing LLC, c/o Flagstar Bank, 5151 Corporate Drive, Troy MI 48098-2639

TOTAL: 5

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		MIDFIRST BANK
cr	*+	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
cr	*+	Pingora Loan Servicing, LLC, C/O Ann E. Swartz, Esq., 123 South Broad St. Suite 1400, Philadelphia, PA 19109-1060
14419995	*	Ally Bank, PO Box 130424, Roseville MN 55113-0004
14407149	##+	Regency Finance, 908 Park Ave, Meadville, PA 16335-3331

TOTAL: 1 Undeliverable, 3 Duplicate, 1 Out of date forwarding address

District/off: 0315-1

User: agro

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## NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 12, 2021

Signature: /s/Joseph Speetjens

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 10, 2021 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor MIDFIRST BANK bnicholas@kmlawgroup.com
Celine P. DerKrikorian	on behalf of Creditor Pingora Loan Servicing LLC ecfmail@mwc-law.com
Chandra Marie Arkema	on behalf of Creditor Pingora Loan Servicing LLC tuhawkeye@msn.com, carkema@squirelaw.com
John Wesley Rowden	on behalf of Debtor Richard David Martone Jr. jwrowden@yahoo.com, elizdugan@yahoo.com;rowdenjr77560@notify.bestcase.com
John Wesley Rowden	on behalf of Joint Debtor Tammy Lynn Martone jwrowden@yahoo.com elizdugan@yahoo.com;rowdenjr77560@notify.bestcase.com
Lauren Moyer	on behalf of Creditor Pingora Loan Servicing LLC ecfmail@ecf.courtdrive.com
Office of the United States Trustee	ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmecf@chapter13trusteedpa.com

TOTAL: 8